

Appl. No. 10/022,398
Response to Office Action of Dec. 14, 2004

PATENT
Docket No.: FR000116
Customer No. 000024737

Amendment to the Drawings

Drawings 4a and 4b have been amended to include appropriate labels for box elements in the respective figures as shown in the replacement sheet attached to this response. In particular, box element 30 has been labeled "MRI Apparatus"; box element 31 has been labeled "Acquisition System"; box element 32 has been labeled "Body"; box element 33 has been labeled "Processing System"; box element 34 has been labeled "Computer"; and box element 35 has been labeled "Display Equipment".

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REMARKS

By this amendment, the Abstract has been amended. Drawing Figures 4a and 4b have been amended to include appropriate labels. Claims 1, 2, 4-6 and 8-11 have been amended. Claim 3 has been canceled. Claims 1, 2 and 4 - 11 remain in the application. This application has been carefully considered in connection with the Examiner's Action. Reconsideration and allowance of the application, as amended, are respectfully requested.

The Specification

The disclosure was objected to because of informalities. By this amendment, the abstract has been amended to correct grammatical errors and remove lines 14-15, which were not a part of the abstract content. Accordingly, objection of the specification should be withdrawn.

The Drawings

The drawings are objected to because the box elements in Figures 4a and 4b need to be labeled in accordance with 37 C.F.R. § 1.83(a). Applicant respectfully traverses this objection for at least the following reason. As amended and now presented, Figures 4a and 4b include labels for the box elements in the respective Figures. Support for the amendment to the Figures can be found in the specification on page 10, lines 5-13. Accordingly, the objection to the drawings is now overcome.

Rejection under 35 U.S.C. § 112

Claim 2 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. By this amendment, claim 2 has been amended to clarify the same and to provide proper antecedent basis for the elements of the claim. In particular, "rational approximation" has been clarified as "rational least squares

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approximation," and the term "Residue Technique" has been replaced by "a further approximation to locally compensate for error between a sample and the rational least squares approximation." Support for the amendment to claim 2 can be found in the specification on page 7, lines 28-33; and page 8, lines 1-20. Note in particular, page 8, lines 1 and lines 8-11. Claim 2 is now believed allowable. Accordingly, the rejection of claim 2 should be withdrawn.

Allowable Subject Matter

Claims 3 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Allowability of claims 3 and 6 is noted with appreciation.

In place of rewriting claim 3 which depends from claim 1 with no intervening claims, claim 1 has been amended to include the limitations of allowable dependent claim 3 (now canceled). Accordingly, claim 1 is prima facie allowable.

Claim 6 has been amended to be in independent form, including all of the limitations of the base claim and any intervening claims. Accordingly, claim 6 is in prima facie condition for allowance.

Rejection under 35 U.S.C. § 102

Claims 1, 4, 5 and 8 are rejected under 35 U.S.C. § 102(b) as being anticipated by Prince et al. (hereinafter, "Prince") ("Motion Estimation from Tagged MR Image Sequences," IEEE, June 1992). With respect to claim 1, claim 1 has been amended herein to include the limitations of allowable dependent claim 3 (now canceled). Accordingly, claim 1 is prima facie allowable. Claims 4, 5 and 8 depend from and further limit, in a patentable sense, now allowable amended claim 1. Accordingly, claims 4, 5 and 8 are prima facie allowable. The rejection of claims 1, 4, 5 and 8 under 35 U.S.C. §102 should be withdrawn.

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Rejection under 35 U.S.C. § 103

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Prince in view of Kraitchman et al. (hereinafter, "Kraitchman") ("Semi-Automatic Tracking of Myocardial Motion in MR Tagged Images," IEEE, September 1995). With respect to claim 7, claim 7 depends from and further limits, in a patentable sense, now allowable claim 4, as discussed herein above. Accordingly, claim 7 is prima facie allowable. The rejection of claim 7 under 35 U.S.C. §103 should be withdrawn.

Claims 9-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Prince in view of Metaxas (US 6,295,464). With respect to claims 9-11, the claims depend from and further limit, in a patentable sense, now allowable claim 1, as discussed herein above. Accordingly, claims 9-11 are prima facie allowable. The rejection of claims 9-11 under 35 U.S.C. §103 should be withdrawn.

Accordingly, claims 1, 2 and 4-11 are allowable and an early formal notice thereof is requested.

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Conclusion

It is clear from all of the foregoing that independent claims 1 and 6 are in condition for allowance. Dependent claims 2, 4-5 and 7-11 depend from and further limit independent claim 1 and therefore are allowable as well.

The amendments herein are fully supported by the original specification and drawings; therefore, no new matter is introduced.

An early formal notice of allowance of claims 1, 2 and 4-11 is requested.

Respectfully submitted,

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a-32658.75

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2/6/05